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September 28, 2021

Via ECF Filing Only

The Honorable Colleen McMahon  
United States District Court  
500 Pearl Street  
New York, New York 10007

Re: The Annuity, Welfare and Apprenticeship Skill Improvement & Safety  
Funds of I.U.O.E. Local 15 v. Alpine Construction & Landscaping Corp.  
Civil Case No. 21-CIV-5865 (CM)

Dear Judge McMahon:

Our office represents Plaintiffs The Annuity, Welfare and Apprenticeship Skill Improvement & Safety Funds of the International Union of Operating Engineers Local 15, 15A, 15C & 15D, AFL-CIO in connection with the above-captioned matter which is currently scheduled for an initial conference on September 30, 2021 at 10:15 a.m. The purpose of this correspondence is to provide Your Honor with a status report concerning the case and to request an adjournment of the conference.

This action was commenced to compel an audit of Defendant's payroll records to determine whether fringe benefit contributions are owed to Plaintiffs and to collect any scheduled deficiency. Subsequent to Defendant being served with the Complaint, the undersigned has been in contact with Defendant's counsel, Peter Sullivan, with who's assistance the audit demanded in the Complaint is being scheduled. To that end, the parties are respectfully requesting a 60 day adjournment of the initial conference which we anticipate will be sufficient time to complete the audit procedures, have a report issued and in the event that a deficiency is scheduled, ample time to resolve that finding. No previous request for the relief sought by this application has been sought and Defendant, through its counsel, joins in this request.

Thank you for your attention to this request.

Respectfully submitted,

*James M. Steinberg*

James M. Steinberg, Esq.

cc: Peter Sullivan, Esq.  
Ms. Catherine Chase

